

## **Assembly Bill No. 1390**

### **CHAPTER 107**

An act to amend Section 34008 of the Food and Agricultural Code, relating to milk products.

[Approved by Governor August 13, 2013. Filed with  
Secretary of State August 13, 2013.]

#### **LEGISLATIVE COUNSEL'S DIGEST**

AB 1390, Committee on Agriculture. Milk products: pasteurization: goat milk.

Existing law requires that all market milk and market milk products, and all milk for manufacturing purposes and manufactured milk products, be pasteurized at the plant where those products are processed and packaged. This provision does not apply to certain products, including licensed milk products plants that are used exclusively for the preparation of ice cream and other, specified milk products.

This bill would additionally exempt from the above provision goat milk cheese produced at a licensed milk products plant that is manufactured from curds made from goat milk that has been pasteurized, ultrapasteurized, or aseptically processed at certain milk products plants. The bill would also make a technical change by deleting an obsolete provision.

*The people of the State of California do enact as follows:*

SECTION 1. Section 34008 of the Food and Agricultural Code is amended to read:

34008. (a) All market milk and market milk products, and all milk for manufacturing purposes and manufactured milk products, shall be pasteurized at the plant where processed and packaged unless otherwise provided in this division.

(b) This section does not apply to any of the following:

(1) Licensed milk products plants that are used exclusively for the preparation of ice cream or ice milk that is manufactured on the premises from ice cream mix, ice milk mix, or premix that is supplied by a licensed milk products plant.

(2) Products sold through soft-serve establishments, including frozen yogurts and frozen dairy desserts.

(3) Goat milk cheese produced at a licensed milk products plant, excluding cottage cheese, manufactured from curds, provided the curds were made only from goat milk that has been pasteurized, ultrapasteurized,

or aseptically processed, as defined in Sections 34001, 34001.5, and 39701, respectively, at either of the following:

(A) A licensed milk products plant.

(B) A milk products plant that meets sanitation requirements substantially similar to those established by Article 3 (commencing with Section 33761) of Chapter 6, and that is registered as a food facility with the United States Food and Drug Administration in accordance with the federal Food, Drug, and Cosmetics Act (21 U.S.C. Sec. 350d).

(c) The secretary may, by regulation, provide for additional exemptions from this section.

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